

12/19/23  
 Copies Mailed/Faxed  
 Chambers of Vincent L. Briccetti

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

JOSE RIVERA COLON, :  
 Plaintiff,

v. :  
 GUTWEIN; C.O. R. FLANAGAN; C.O. J.  
 CROFOOT; and C.O. S. HAZELWOOD,  
 Defendants.

ORDER

22 CV 635 (VB)

On September 29, 2023, defendants moved to dismiss the amended complaint in this matter. (Doc. #53). On October 2, 2023, the Court entered a scheduling Order, which provided that plaintiff's opposition to defendants' motion was due on November 30, 2023, and defendants' reply was due on December 14, 2023. (Doc. #56). To date, plaintiff, proceeding pro se and in forma pauperis, has not responded to defendants' motion.

Accordingly, it is HEREBY ORDERED that plaintiff's deadline to oppose defendants' motion to dismiss the amended complaint is sua sponte extended to January 18, 2024. Defendants' reply, if any, is due February 1, 2024.

Should plaintiff fail to oppose defendants' motion by January 18, 2024, the Court will deem the motion fully submitted and unopposed, and will decide it in due course.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: December 19, 2023  
 White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
 United States District Judge